

VIRGINIA

IN THE CIRCUIT COURT FOR THE COUNTY OF FAIRFAX

BALA JAIN, LLC,)	
)	
Plaintiff,)	
)	
v.)	Case No.: CL-2022-0009687
)	
EAGLE PROPERTIES AND INVESTMENTS)	
LLC, ET AL.,)	
)	
)	
Defendants.)	

NOTICE AND MEMORANDUM OF LIS PENDENS

STATE OF VIRGINIA
COUNTY OF FAIRFAX

TO THE CLERK OF THE CIRCUIT COURT OF SAID COUNTY:

You are hereby notified that on the 18th day of July, 2022, suit was instituted by the undersigned in the above captioned and styled cause in the Circuit Court of Fairfax County, Virginia, and that the following are all the names of the parties to said suit:

<u>Name of Plaintiff</u>	<u>Name of Defendant</u>	<u>Kind of Suit</u>
Bala Jain, LLC 6007 Marilyn Drive Alexandria, Virginia 22310	EAGLE PROPERTIES AND INVESTMENTS LLC 445 Windover Avenue Vienna, Virginia 22180 Serve: Monika Jain, Managing Member 445 Windover Avenue Vienna, VA 22180	The lawsuit alleges that one or more of the Defendants used money it borrowed from Bala Jain, LLC to acquire, improve, and/or develop the subject Property. The lawsuit alleges that the Defendants engaged in fraud, conspiracy to commit fraud, breach of contract, and seeks a declaratory judgment and injunctive relief establishing a constructive trust against this

		Property and such other relief as may be necessary to protect and prepare Bala Jain, LLC's interest in the Property.
	MONIKA JAIN 445 Windover Avenue Vienna, VA 22180	
	AMIT JAIN 445 Windover Avenue Vienna, VA 22180	
	FIRST CLASS TITLE, INC. 1803 Research Blvd, Suite 512 Rockville, Maryland 20850 Serve: Robert Kotz 11505 Hemingway Drive Reston, Virginia 20194	
	Daniel Kotz, Esq. 1803 Research Blvd #512 Rockville, MD 20850	

The following described real estate located at 445 Windover Ave., Vienna, VA 22180, Tax Map # 0383 21 0005 Book 24669 Page 0908 of Fairfax County, and situated in Fairfax County, Virginia (the "Property") is involved in said suit, to-wit:

Lot 5, of the Resubdivision of Block Seventeen, WINDOVER HEIGHTS, as the same appears duly dedicated, platted and recorded in Deed Book 2016 at Page 243, original Dedication recorded in Deed Book R-5 at page 82, and Plats recorded in Plat Book 5 at Page 46 and 47, among the Land Records of Fairfax County, Virginia.

The improvements thereon being known as 445 Windover Avenue, NW, Vienna, VA 22180.


The nature of the lien, right or interest sought to be enforced is as follows: In response to Eagle Properties and Investments, LLC's breach of the loan documents and fraud claims against its

owners Amit Jain and Monika Jain, Bala Jain brings this action and asserts claims for fraud and conspiracy to commit fraud against Amit Jain, Monika Jain and Daniel Kotz; declaratory judgment and injunctive relief that Bala Jain is granted a constructive trust against the properties that Eagle Properties and Investments, LLC purchased and/or improved with a \$7.5 million loan it fraudulently obtained from Bala Jain; an accounting of the proceeds from the \$7.5 million loan Eagle Properties and Investments, LLC fraudulently obtained from Bala Jain; to disregard and pierce Eagle Properties and Investments, LLC's corporate veil; and breach of contract against Eagle Properties and Investments, LLC.

Plaintiffs claim damages of at least \$7,500,000.00, plus punitive damages and attorneys' fees.

Dated: July 20, 2022

Respectfully submitted,


Mark E. Shaffer (VSB No. 75407)
OFFIT KURMAN
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Tysons Corner, Virginia 22182
Telephone: 703.745.1820
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mark.shaffer@offitkurman.com
Counsel for Plaintiff Bala Jain, LLC

COMMONWEALTH/STATE OF Virginia,
COUNTY/CITY OF Fairfax, to-wit:

I, the undersigned Notary Public, in and for the State and County aforesaid, do hereby certify that Mark E. Shaffer, whose name is signed to the Memorandum of Lis Pendens, has acknowledged the same before me as Notary in my State and County aforesaid.

Given under my hand and seal this 20 July 2022.




Notary Public

CERTIFICATE OF SERVICE

I hereby certify that I have on this 20 July 2022, sent by Federal Express, postage prepaid,
a true copy of the foregoing to:

EAGLE PROPERTIES AND INVESTMENTS LLC

445 Windover Avenue
Vienna, Virginia 22180

Serve:

Monika Jain, Managing Member
445 Windover Avenue
Vienna, VA 22180

MONIKA JAIN

445 Windover Avenue
Vienna, VA 22180

AMIT JAIN

445 Windover Avenue
Vienna, VA 22180

FIRST CLASS TITLE, INC.

1803 Research Blvd, Suite 512
Rockville, Maryland 20850

Serve: Robert Kotz
11505 Hemingway Drive
Reston, Virginia 20194

Daniel Kotz, Esq.

1803 Research Blvd #512
Rockville, MD 20850



Mark E. Shaffer